

REMARKS

Claims 1, 3-9, 11, 13-19, 21 and 23-28 are pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks herein.

*Claim Objections*

Claim 10 stands objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 1 has been amended to include the allowable subject matter of claim 10. Claim 10 has been cancelled. Accordingly, favorable consideration and allowance of claim 1 and its dependent claims are respectfully requested.

*Claim Rejections – 35 U.S.C. § 102*

Claims 1, 3-9, 11 and 13-19 stand rejected under 35 U.S.C. § 102(b) as allegedly anticipated by U.S. Pat. No. 6,243,692 to Floyd et al. ("Floyd"). This rejection is respectfully traversed.

As discussed above, claim 1 has been amended to include the allowable subject matter of claim 10. As discussed in further detail below, claim 11 has been amended to include the allowable subject matter of claim 20. Therefore, reconsideration and withdrawal of the rejections are respectfully requested.

Each of claims 3-9 and 13-19 ultimately depends from one of claims 1 and 11, which define over the asserted reference. Consequently, each of claims 3-9 and 13-19 also defines over the asserted reference for at least the same reasons. Therefore, reconsideration and withdrawal of the rejections are respectfully requested.

Applicant : Michael Altenhofen  
Serial No. : 10/698,108  
Filed : October 31, 2003  
Page : 8 of 9

Attorney's Docket No.: 13909-0055001 / 2003P00799 US

*Allowable Subject Matter*

Applicant thanks the Examiner for recognizing the allowable subject matter of each of claims 10, 20, 21 and 23-28. As noted above, claim 1 has been amended to include the allowable subject matter of claim 10 and claim 10 has been cancelled. Claim 11 has been amended to include the allowable subject matter of claim 20 and claim 20 has been cancelled.

*Other Claim Amendments*

Claim 13 has been amended to delete a redundant recitation of the word "the."

CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reason for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to amendment. Applicants respectfully request consideration of all filed IDS' not previously considered, by initialing and returning each Form 1449.

The undersigned attorney welcomes the opportunity to further discuss by telephone any position or issue not fully addressed by the above remarks and amendments.

No charges are believed due. However, if any fees are due, they are being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 13909-0055001.

Respectfully submitted,

Date: January 27, 2010

/Ryan McCarthy/  
Ryan McCarthy  
Reg. No. 50,636

**Customer No. 32864**  
Fish & Richardson P.C.  
Telephone: (512) 472-5070  
Facsimile: (877) 769-7945